

3522. Misbranding of Neal's olivine soap. U. S. v. To-Kalon Mfg. Co. Plea of guilty. Fine, \$20. (F. & D. No. 5418. I. S. No. 15603-d.)

On March 20, 1914, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the To-Kalon Mfg. Co., a corporation, Syracuse, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on or about December 1, 1911, from the State of New York into the State of Missouri, of a quantity of Neal's olivine soap, which was misbranded.

The product was labeled: (On carton) "Important to Physicians and Trained Nurses Neal's Olivine is a thoroughly Antiseptic soap, medicated with chemically pure borax, in the form of boroglycerine. It is of exceptional value in producing surgical cleanliness, unexcelled for removing dirt, softening and whitening the skin, healing chapped hands, and eradicating skin blemishes. Price 35 cents. To-Kalon Manufacturing Co. 7 Rue Auber, Paris. London, Eng. Syracuse, N. Y. Beware of Imitations. The marvelous success that has been obtained by Neal's Olivine has caused a number of spurious imitations. In purchasing a liquid soap, always ask for Neal's Olivine, thus avoiding danger of securing a cheap soap which may do more harm to your skin in one month than can be undone in six months or a year. If you always insist upon getting Neal's Olivine, you may be assured of having an absolutely pure soap, which will not injure the skin or complexion. Neal's Olivine Directions First wet the hands with water, then pour small quantity of the Olivine into the palm; rub the hands briskly until a good lather is produced. To cleanse the face, rub this lather over the skin with the hands, wash cloth or sponge. Neal's Olivine will not injure the most delicate skin. Neal's Olivine The New Liquid Soap Ideal for the bath, shampoo, and general toilet purposes. Unexcelled for the relief of dandruff, falling hair, and shampooing the scalp. Olivine is an absolutely pure soap, which will not injure the skin or complexion. Guaranteed under the Food and Drugs Act, Serial No. 16029 By the To-Kalon Manufacturing Co. 7 Rue Auber, Paris, London, Eng. Syracuse, N. Y. Neal's Olivine." (On bottle) "Neal's Olivine The soap Ideal Guaranteed by To-Kalon Mfg. Co. under the Food and Drugs Act, June 30, 1906. Serial Number 16029 To-Kalon Mfg. Co. 7 Rue Auber Paris London Syracuse, N. Y." (On circular) "Olivine contains the pure oil of crushed olives combined with chemically pure borax in the form of boroglycerine. It is both an antiseptic and germicide."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that the product was an aqueous solution of soap made from an oil other than olive oil, contained no boroglycerin, and had no antiseptic or germicidal action.

Misbranding of the product was alleged in the information for the reason that the statement "Olivine," borne on the bottle and carton in which said article was shipped and delivered for shipment, was false and misleading because it conveyed the impression that said article contained olive oil, whereas it did not contain any olive oil, and, further, in that the statement "Neal's Olivine is a thoroughly antiseptic soap, medicated with chemically pure borax in the form of boroglycerine," borne on the carton in which said article was shipped and delivered for shipment, was false and misleading, because, as a matter of fact, said article contained no borax, and, further, in that the statement "Olivine contains the pure oil of crushed olives, combined with chemically pure borax in the form of boroglycerine," borne on the circular inclosed with the package in which said article was shipped and delivered for shipment, was false and misleading, because, as a matter of fact, said article did not contain either olive oil or borax, and, further, in that the statement "It is both an antiseptic and germicide," borne on the carton in which said article was shipped and delivered for shipment, was false and misleading, because said article was neither an antiseptic nor a germicide.

On March 20, 1914, the defendant company entered a plea of guilty to the information and the court imposed a fine of \$20.

CARL VROOMAN, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., January 13, 1915.